

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ERNST BARTLOME, Individually and On
Behalf of All Others Similarly Situated,

Case No. 1:19-cv-02657

PLAINTIFF,

-AGAINST-

OSIRIS THERAPEUTICS, INC., PETER
FRIEDLI, THOMAS J. KNAPP, WILLI
MIESCH, AND CHARLES A. REINHART,
III,

DEFENDANTS.

**STIPULATION AND [PROPOSED] ORDER REGARDING
AMENDED CLASS ACTION COMPLAINT AND BRIEFING SCHEDULE**

WHEREAS, on March 25, 2019, Ernst Bartlome (“Bartlome”) filed a complaint in this action captioned *Bartlome v. Osiris Therapeutics, Inc. et al*, Docket No. 1:19-cv-02657 (S.D.N.Y.);

WHEREAS, on April 9, 2019, Plaintiff filed an amended complaint to include class allegations to the action;

WHEREAS, on April 9, 2019, Bartlome issued a notice to members of the purported plaintiff class pursuant to the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), 15 U.S.C. § 78u-4(a)(3)(A);

WHEREAS, the PSLRA deadline to file a motion for appointment as Lead Plaintiff and approval of selection of Lead Counsel is June 10, 2018;

WHEREAS, Plaintiff intends to file an amended class action complaint if appointed Lead Plaintiff; and

WHEREAS, Defendants reserve all rights, defenses, or objections, including to contest jurisdiction and venue;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by the parties hereto, and subject to the approval of the Court, as follows:

1. Defendants shall not be required to answer or otherwise respond to any of the complaints filed in this action except as provided for herein.
2. The court-appointed Lead Plaintiff shall file and serve an amended complaint (the “Operative Complaint”) no later than thirty (30) days after the Court’s appointment of Lead Plaintiff and Counsel.
3. Defendants shall file and serve answers, motions to dismiss, and/or other responses to the Operative Complaint no later than sixty (60) days after Lead Plaintiff files and serves the Operative Complaint.
4. If Defendants respond to the Operative Complaint by motions to dismiss, Lead Plaintiff shall file an opposition brief no later than sixty (60) days after the filing of Defendants’ motions to dismiss, and Defendants shall file reply briefs no later than thirty (30) days of the filing date of Lead Plaintiff’s opposition.

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DATED: May 23, 2019

MONTEVERDE & ASSOCIATES PC

/s/ Juan E. Monteverde

Juan E. Monteverde
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Counsel for Plaintiff

DATED: May 23, 2019

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Counsel for Defendant Osiris Therapeutics, Inc.

DATED: May 23, 2019

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Counsel for Defendants Peter Friedli, Thomas J. Knapp, Willi Miesch, and Charles A. Reinhart, III

IT IS SO ORDERED.

DATED: May 28, 2019


Vernon S. Broderick
Vernon S. Broderick
United States District Judge